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FM AMEMBASSY RANGOON
TO RUEHC/SECSTATE WASHDC PRIORITY 9069
INFO RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE
RUEHBY/AMEMBASSY CANBERRA 2022
RUEHNE/AMEMBASSY NEW DELHI 5497
RUEHUL/AMEMBASSY SEOUL 9093
RUEHKO/AMEMBASSY TOKYO 6669
RUEAIIA/CIA WASHDC
RHHMUNA/CDR USPACOM HONOLULU HI
RUEHGV/USMISSION GENEVA 4480
RHEHNSC/NSC WASHDC
RUCNDT/USMISSION USUN NEW YORK 2473
RUEKJCS/SECDEF WASHDC
RUEHBS/USEU BRUSSELS
RUEKJCS/JOINT STAFF WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 000335

SIPDIS

STATE FOR EAP, IO, AND CA/OCS/ACS/EAP; PACOM FOR FPA

E.O. 12958: DECL: 06/04/2019

TAGS: [BM](#) [CASC](#) [PGOV](#) [PHUM](#) [PREL](#)

SUBJECT: BURMA: ASSK PROCEEDINGS POSTPONED; APPEALS COURT
TO HEAR DEFENSE ARGUMENTS

REF: A. RANGOON 329

[1](#)B. RANGOON 320

Classified By: Political Officer Sean K. O'Neill for Reasons 1.4 (b) &
(d)

Summary

[1](#)1. (C) At a brief hearing on the morning of June 5, judges in the trial against Aung San Suu Kyi (ASSK), her two aides, and Amcit John Yettaw announced a delay in the resumption of the proceedings until June 12. ASSK's attorneys appeared at a separate appeals court later in the day to seek reinstatement of three defense witnesses who trial judges barred from testifying. Embassy staff observed a significantly increased security presence in and around Insein prison, but saw much smaller crowds in the area than during past trial sessions.

[1](#)2. (SBU) While we did not have the chance to meet with Yettaw today, Vice Consul noted that he looked thinner than on previous days. He appeared alert and even cheerful during the brief proceedings. Consular officers are scheduled to meet with Yettaw at Insein prison on June 6. End Summary.

Trial Court Postpones; Appeals Court to Hear Arguments

[1](#)3. (C) On June 5, the trial court at Insein prison convened briefly to delay the continuation of the trial of Aung San Suu Kyi, her two assistants, and John Yettaw until the morning of June 12. The trial court did not conduct any other business. Vice Consul and a consular staff member attended. All four defendants appeared in court and looked healthy and alert.

[1](#)4. (C) Later on the afternoon of June 5, ASSK's defense attorneys (but not ASSK) appeared before a Rangoon appeals court to argue for the reinstatement of three of ASSK's proposed defense witnesses who trial judges barred from testifying (Ref A). As of COB, we have no information on the outcome of the hearing, but ASSK's lead defense attorney U Kyi Win (aka Neville) told us privately beforehand that he

expects the appeals court will permit two of the three witnesses to testify. He did not elaborate. The appeals court's decision will likely determine the nature of the June 12 hearing, which could consist of additional witness testimony, closing arguments, or a further delay in the proceedings. Since today's appeal only relates to ASSK's witnesses, Yettaw's attorney was not expected to attend.

Increased Security, Smaller Crowds Near Insein

¶5. (C) Embassy staff June 5 observed a significantly increased security presence in and around Insein prison, including approximately 20 riot police trucks filled with police. Otherwise, the normally busy market near the prison was quiet, with many of the shops closed. We did not see any sign of NLD Central Executive Committee member Win Tin or other ASSK supporters near the prison, where they have gathered in the past (Ref B). The NLD did not expect any substantive developments from this morning's session, which, along with the heavy rain, may have kept them away.

John Yettaw

¶6. (SBU) We were not able to meet with John Yettaw at the June 5 hearing. However, Vice Consul observed that he looked thinner than on previous days but appeared alert and even cheerful during the proceedings. Yettaw carried a hand-written document, which his lawyer informed us is a

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14-page statement he plans to read to the court during closing arguments. Consular officers and staff are scheduled to meet with Yettaw at Insein prison on the morning on June

¶6.
DINGER